



~~February 20, 2007 CPC~~  
May 15, 2007 CPC  
June 27, 2007 BS

STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

07SN0219  
(AMENDED)

Malbone Associates

Matoaca Magisterial District  
South line of Hull Street Road

REQUEST: Rezoning from Agricultural (A) to Community Business (C-3).

PROPOSED LAND USE:

Commercial uses are planned.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON  
PAGES 2 AND 3.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The proposed zoning and land uses conform to the Upper Swift Creek Plan which suggests the property is appropriate for community mixed use uses.
- B. The proposed zoning and land uses are representative of, and compatible with, existing and anticipated area development.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY

BY STAFF. CONDITIONS WITH ONLY A “CPC” ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITIONS

The Owners and the Developer (the “Developer”) in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the Property known as Chesterfield County Tax Identification Numbers 713-669-3466 and 713-669-6673 (the “Property”) under consideration will be developed according to the following conditions if, and only if, the rezoning request for C-3 is granted. In the event the request is denied or approved with conditions not agreed to by the Developer, the proffers and conditions shall immediately be null and void and of no further force or effect. If the zoning is granted, these proffers and conditions will supersede all proffers and conditions now existing on the Property.

- (STAFF/CPC)      1.      Utilities.
- A.      Public water and wastewater systems shall be used.
- B.      The developer shall extend the twenty-four (24) inch water line along Route 360 from Fox Club Parkway/Hampton Park Drive to a point opposite the westernmost boundary of the request Property.
- C.      Prior to the issuance of a building permit for each site plan approved for the property, the developer shall make payment to Chesterfield County in the amount of \$200.00 per acre (not to exceed an aggregate payment of \$1,080.00 based upon a total of 5.4 acres) as a contribution toward the expansion of the Dry Creek Wastewater Pump Station. (U)
- (STAFF/CPC)      2.      Timbering. With the exception of timbering which has been approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)
- (STAFF/CPC)      3.      Access. Direct vehicular access from the property to Route 360 shall be limited to one (1) entrance/exit. This entrance/exit shall be limited to right turns in and out only. The location of this entrance/exit shall be approximately seven hundred (700) feet from the intersection of Otterdale Road and Route 360. (T)

(STAFF/CPC) 4. Dedication. Prior to any site plan approval or within ninety (90) days of a written request by the Transportation Department, whichever occurs first, one hundred (100) feet of right-of-way on the south side of Route 360 measured from the centerline of that part of Route 360 immediately adjacent to the property shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)

(STAFF/CPC) 5. Transportation Improvements.

A. In conjunction with initial development on the property, an additional lane of pavement shall be constructed along the eastbound lanes of Route 360 for the entire property frontage.

B. Prior to the issuance of a certificate of occupancy for any development anticipated to generate more than 3,000 vehicles per day at the approved entrance/exit on Route 360, as determined by the Transportation Department, a separate right turn lane shall be constructed along the eastbound lanes of Route 360 at the approved access. (T)

#### GENERAL INFORMATION

##### Location:

South line of Hull Street Road, east of Otterdale Road. Tax IDs 713-669-3466 and 6673.

##### Existing Zoning:

A

##### Size:

5.4 acres

##### Existing Land Use:

Single-family residential or vacant

##### Adjacent Zoning and Land Use:

North - A and C-3; Single-family residential or vacant

South - I-1 and I-1 with Conditional Use Planned Development; Vacant

East - A; Vacant

West - I-1 with Conditional Use Planned Development; Vacant

## UTILITIES

### Public Water System:

There is a twenty-four (24) inch water line along the north side of Hull Street Road that terminates at Hampton Park Drive approximately 1,700 feet east of this site. In addition, there is a sixteen (16) inch water line extending along a portion of Otterdale Road that terminates at Hampton Park Drive, approximately 1,200 feet southwest of the request site.

The applicant has proffered the use of the public water system (Proffered Condition 1.A.). In addition, the applicant has proffered extending the twenty-four (24) inch water line along Hull Street Road from Fox Club Parkway to a point opposite the westernmost boundary of the request site. (Proffered Condition 1.B.)

### Public Wastewater System:

There is an eight (8) inch wastewater collector line that terminates adjacent to the northern boundary of Hampton Park Drive, at a point approximately 150 feet west of Hampton Park Blvd. An off-site extension of approximately 850 feet will be required to serve the request site. The applicant has proffered the use of the public wastewater system (Proffered Condition 1.A.). In addition, the applicant has agreed to make payment to Chesterfield County in the amount of \$200.00 per acre (not to exceed an aggregate payment of \$1,080.00 based upon a total of 5.4 acres) as a contribution towards the expansion of the Dry Creek Wastewater Pump Station. (Proffered Condition 1.C.)

## ENVIRONMENTAL

### Drainage and Erosion:

The subject property drains to the south thru tributaries to Dry Creek and then via Dry Creek to Swift Creek Reservoir. There are no existing or anticipated on- or off-site drainage problems. Parts of the property are wooded and should not be timbered without obtaining a land disturbance permit from Environmental Engineering (Proffered Condition 2). This will ensure adequate erosion control measures are in place prior to any land disturbance.

### Water Quality:

The development will be subject to the Upper Swift Creek Watershed Ordinance.

## PUBLIC FACILITIES

### Fire Service:

The Clover Hill Fire Station, Company Number 7, and Manchester Volunteer Rescue Squad currently provide fire protection and emergency medical service (EMS). This request will have a minimal impact fire and EMS.

### Transportation:

The property is located on the south side of Hull Street Road (Route 360) between Otterdale Road and Hampton Park Drive. The applicant is requesting rezoning to Community Business (C-3). Based on shopping center trip rates, development of the property could generate approximately 5,200 average daily trips. Some of these trips would be distributed to Route 360, which had a 2006 traffic count of 19,824 vehicles per day and was function at Level of Service B.

The Thoroughfare Plan identifies Route 360 as a major arterial with a recommended right-of-way width of 120 to 200 feet. The applicant has proffered to dedicate 100 feet of right-of-way adjacent to the property in accordance with this Plan. (Proffered Condition 4)

Direct vehicular access to major arterials should be controlled. The applicant has proffered to limit direct vehicular access from the property to Route 360 to one (1) entrance/exit, approximately 700 feet east of Otterdale Road, that will be limited to right turns in/out by the existing median. (Proffered Condition 3)

The traffic impact of this development must be addressed. The applicant has proffered to construct an additional lane of pavement along Route 360 for the entire property frontage and a separate right turn lane at the site access, based on Transportation Department standards. (Proffered Condition 5)

At the time of site plan review, internal circulation will be evaluated.

## LAND USE

### Comprehensive Plan:

Lies within the boundaries of the Upper Swift Creek Plan which suggests the property is appropriate for a mixture of community-scale corporate office and commercial uses. The Plan is currently under consideration for amendment. The proposed Plan amendment, as recommended by staff, also suggests community mixed use.

### Area Development Trends:

The area is currently characterized by a mix of agricultural, commercial and industrial zoning and is occupied by single-family residential uses or remains vacant. While the area surrounding the request property is zoned Light Industrial (I-1) with Conditional Use Planned Development, the zoning allows a variety of commercial uses as well as industrial uses.

### Development Standards:

Currently the property lies within an Emerging Growth District. The purpose of the Emerging Growth District Standards is to promote high quality, well-designed projects. These standards address access, parking, landscaping, setbacks, building height, signs, buffers, pedestrian access, lighting, utilities and screening of dumpsters, loading areas and outside storage. Development must comply with these standards.

### Architectural Treatment:

The property also lies within the Route 360 Corridor West District which addresses architectural treatment. Within those areas designated for Community Mixed Use on the Plan, the theme of a project must establish a clearly identifiable architectural style, incorporate elements which break up the mass of large buildings and provide a pedestrian scale environment between the parking and the buildings.

In addition, at the time of site plan review, the architectural standards will require compatibility with any existing buildings within the same project, within the same block or across Route 360, as determined by the Director of Planning.

## CONCLUSION

The proposed zoning and land uses conform to the existing Upper Swift Creek Plan which suggests the property is appropriate for community mixed use uses. Appropriate uses include community-scale commercial and corporate office uses. The proposed zoning and land uses are representative of, and compatible with, existing and anticipated area development.

In addition, as noted, an amendment to the Plan is pending. The draft Plan, recommended by staff also recommends community mixed uses.

Given these considerations, approval of this request is recommended.

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## CASE HISTORY

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### Planning Commission Meeting (2/20/07):

At the request of the applicant, the Commission deferred this case to May 15, 2007.

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### Staff (2/22/07):

The applicant was advised in writing that any significant new or revised information should be submitted no later than March 12, 2007, for consideration at the Commission's May 15, 2007, public hearing. Also, the applicant was advised that a \$130.00 deferral fee must be paid prior to the Commission's public hearing.

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### Applicant (3/9/07):

Amended proffered conditions were submitted. In addition, the applicant paid the \$130.00.

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### Applicant (4/23/07 and 4/30/07):

Amended proffered conditions were submitted.

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### Planning Commission Meeting (5/15/07):

The applicant accepted the recommendation. There was no opposition present.

On motion of Mr. Bass, seconded by Mr. Gulley, the Commission recommended approval and acceptance of the proffered conditions on pages 2 and 3.

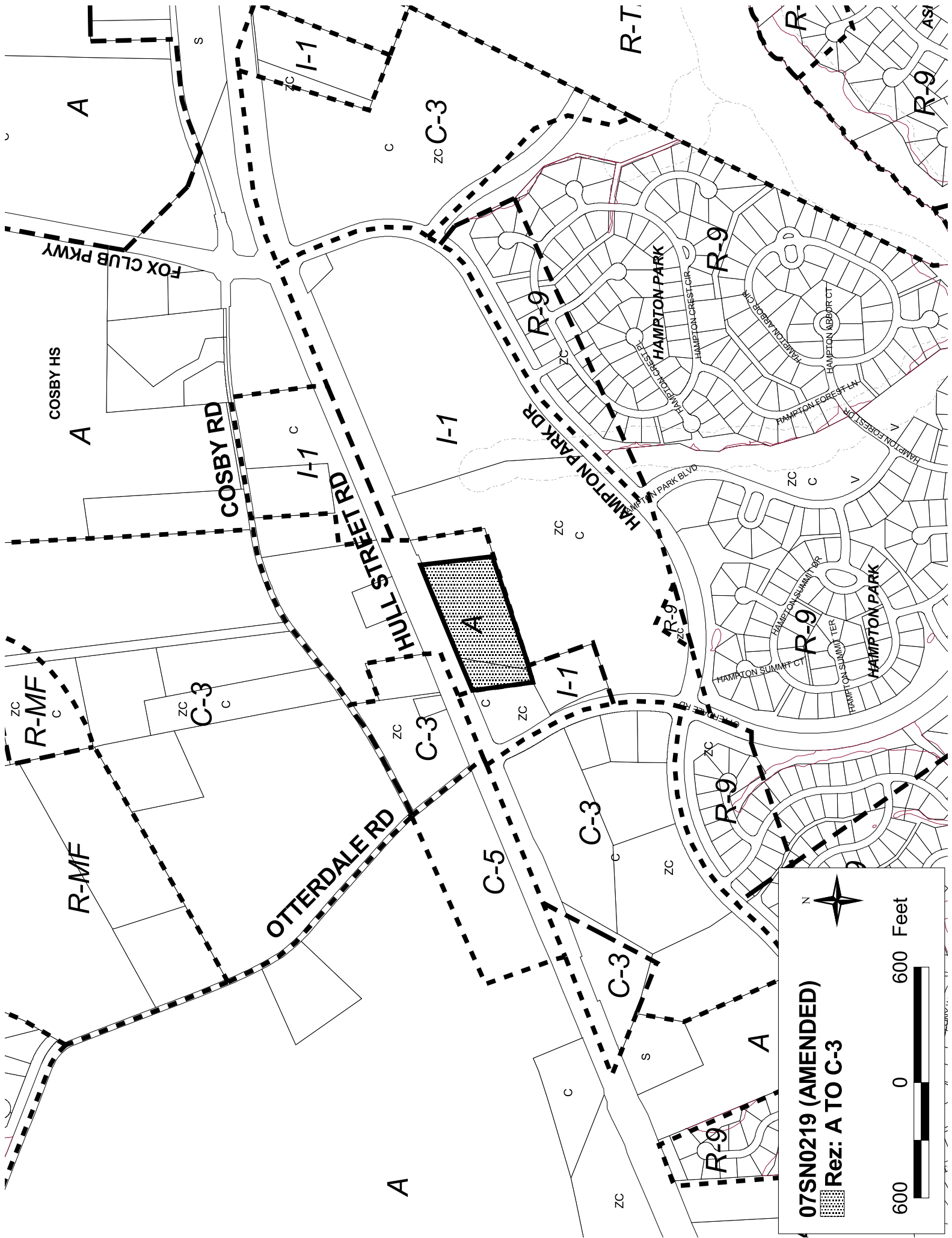
AYES: Messrs. Gecker, Gulley, Bass, Litton and Wilson.

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The Board of Supervisors, on Wednesday, June 27, 2007, beginning at 6:30 p.m., will take under consideration this request.

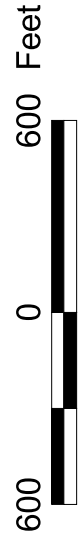
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07SN0219 (AMENDED)

Rez: A TO C-3



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